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A Constrained View of Free Will in Contemporary Society

What is 'free will'? Free will, by definition, is a philosophical term for a particular sort of capacity of rational agents to choose a course of action from among various alternatives (Stanford Encyclopedia of Philosophy). In a more general sense, it is the ability to choose an action, rationally and independently. But if the latter (choosing independently) we need to focus on more than the former (choosing rationally), for if we did not think ourselves as rational beings then we would lose the essential thing that differentiates us from animals. So if we were animals we would not be considered being a human, ultimately making us incapable of rational thought in which case we should not even concern ourselves with this dilemma. But since we are human and have the capacity for rational thought, we may begin to proceed to contemplate what it means to act independently, exercising our free will. Or in another form of a question, still attempting to obtain the same answer, can we operate as independent beings with the capacity to make decisions independently? This is the heart of the problem: are we independent beings or are we beings that function in a given system that constrains us to act in a certain way disguised as free will?

Michel Foucault, in his book *Discipline and Punish* lays out the creation of the modern day prison and an economy of power that is expressed in contemporary governments. This transition of power that he points out leads the reader to what can be seen as an individualization of the person. But this transformation has an underlying question that is not explicitly addressed in his book: what happens to free will as human beings? We fancy ourselves beings that can act upon our own sense of judgment and rationality apart from what anyone else has to say, but in this new style of an economy of power that

Foucault identifies can we still participate in this way of thinking or do we have to succumb to this new notion of not a complete free will but rather a constrained one? This is the task I will wrestle with, do we in fact have a free will that is independent from all others or is it constrained by those others.

Early modern philosopher Immanuel Kant believes us to be single, autonomous beings that hold power over ourselves to make decisions and actions apart from other influences. ? Kant's idea of human morality is based around one key concept: the idea that we have the ability to follow our own set of ethical laws. Without this crucial mechanism, his ethics falls short of being a logical explanation for human experience.

"Morality is based in the concept of freedom, or autonomy. Someone with a free, or autonomous, will does not simply act but is able to reflect and decide whether to act in a given way. This act of deliberation distinguishes an autonomous will from a heteronomous will. In deliberating, we act according to a law we ourselves dictate, not according to the dictates of passion or impulse. We can claim to have an autonomous will even if we act always according to universal moral laws or maxims because we submit to these laws upon rational reflection."¹

This is Kant's stance in short, "A good will is good not because of what it effects or accomplishes, nor because of its fitness to attain some proposed end; it is good only through its willing, i.e. it is good in itself."² Through this method of a universal code of ethics that each person imposes on themselves, they automatically exercise their free will to choose what is moral and what is not. This duty is ingrained in what Kant calls the "categorical imperative". This moral law is best understood as the "categorical imperative" which is simply defined as a universal law that if one action is morally unjust in one situation then it is unjust in all situations. This idea of a universal moral law is something that we are all familiar with, in the form of the Golden Rule? The Golden Rule says "treat others as you would like to be treated" this is something we were taught as children. This is the basic, most fundamental concept of Kant's ethics. This idea that one thing is morally just in all situations.

¹Kant, Immanuel, and James W. Ellington. *Grounding for the Metaphysics of Morals: With, on a Supposed Right to Lie Because of Philanthropic Concerns*. Pg.

² Kant, Immanuel, and James W. Ellington. *Grounding for the Metaphysics of Morals: With, on a Supposed Right to Lie Because of Philanthropic Concerns*. Pg. 7

This sense of treating others as you would like to be treated is roughly similar to the categorical imperative. In the sense that if you do not want to be treated as a mean to an end; then you should not treat others as means to an end. But let us back up, the idea of a means and ends might be new to some. The concept of using something as a means is really just saying that it used in the pursuit of a goal. Like a car, you use a car to get from point A to point B. The car is your means of transporting you to and from these destinations. Now the ends are that goal you have in mind. Using that same car example, if you are point A and point B is your goal then point B is your end. So following the categorical imperative, if we think treating people as a mean to an end is morally wrong; then we should not do so.

What about this whole business of personal gain or pleasure from doing one action over another that Kant says is morally unjust? What he is trying to say is that if you do an action because you like the rewarding feeling, whether it is a good feeling you get inside or a physical item, it is not morally worthy. He is not saying that you should never do any action that makes you feel good either. You should not do an action for the purpose of the good feeling you will receive for doing it, it needs to be out of the sheer goodness of the act. What he is trying to get at here is that the most pure code of ethics is one that you do even though it may cause you pain. So how about this example: you broke your mom's favorite vase while your parents were gone on vacation. It was only you and the super hyper active dog, let name it Spot, in the house while they were gone. Your parents get home and your mom is furious, what do you do? You can easily blame it on the dog since it is very believable that the dog was running around and knocked it over. Or do you tell the truth even though you know you would be in huge trouble? Here lies the differentiation of doing actions for personal gain and/or pleasure versus doing them out of the universal code of Kantian ethics. If you were a Kantian, you would tell your mom the truth even though it may cause you some pain. This is what Kant is talking about when he is making the distinction between moral actions and unmoral actions. Maybe another example will help in this distinction of actions.

Another more common example of this is lying, you do not like to be lied to, and therefore you should not lie yourself. Basically if you think it is unjust to lie to someone then it is wrong every time and you should never do it, right? According to Kant that is correct, so let us put it in a theoretical situation to test it. The most famous example of this is the classic axe murder scenario. In this scenario there is an axe murder on the hunt for your family. The axe murder comes to your door and you answer it. They ask you "Where is your family? I am here to kill them." To which you reply...what? Do you tell the murder where you family is or do you lie? If you lie then you are saying that lying is morally just in all situations. If you tell the truth then your family dies. The right answer for a Kantian would be to tell the truth even though it would cause you pain, but it is the morally just thing to do. But there is the question of where do you stop. Following Kantian ethics, you tell the truth, but then you have the ability to try to physically stop the murderer in hopes of saving your family. But I digress. The acts that Kant would deem morally valid would be those done out of duty, rather than for pleasure or happiness (as Aristotle would pose as an end for morality). Duty is the respect for the universal moral law that we all must abide by.

This concept of a universal moral law governing over all rational [human] beings is what Kant refers to as the 'formula of autonomy'.³ This 'formula' can be best understood in that it follows the law of contradiction. This law states that there can be, in no possible world, a situation where you can do one thing, and expect the exact opposite. Going back to the axe murder/lying example mentioned earlier, the law of contraction is very visible in the scenario. If someone thinks lying is perfectly acceptable, then they lie to the axe murderer. But if someone thinks that lying is wrong and they still lie to the axe murderer to save their family, then that is a contradiction. In this contradiction, it would allow for lying to be acceptable for me, but still believe that everyone else should tell the truth.

³ Kant, Immanuel, and James W. Ellington. *Grounding for the Metaphysics of Morals: With, on a Supposed Right to Lie Because of Philanthropic Concerns*. Pg. 38

So in short, Kant believes there to be an autonomous free will do the sheer fact that we can create our own morality. We alone have the power to choose what we think is morally valid and what is morally wrong with his idea of the “categorical imperative”.

Foucault seems to see things a bit differently from Kant in context of autonomy. Within this next section we will dissect Foucault’s terms and see the shift of the early modern ideas of free will and autonomy to the contemporary views on the subject matter.

Foucault in his book “Discipline and Punish”, he hits on a few key terms: docile bodies, autonomy and agency; to be the first of many. The first, docile bodies, is a body “that may be subjected, used, transformed and imposed.”⁴

So we are left with the obvious question “how does one become a docile body?” In the easiest form of an answer, it is simply by discipline. It focuses on the capacity for usefulness of the individual, instead of the natural characteristics, e.g. soldiers. In the 17th and 18th centuries there was a sudden change in the way men became soldiers. In the 17th, it was by sheer physical characteristics. One must ‘look’ and ‘behave’ like a soldier in order to be seen as one. But there was something that changed this notion of how one becomes a soldier. Suddenly anyone could be one, but how? The answer is by targeting the body to be an object of power. These people were being transformed into soldiers via a strict and detailed set of rules, regulations and sanctions against them. There was finally a new idea that one (not literally one person but a collection of persons) could impose things onto another to create a more useful person.

This new technique, discipline, did not originate in the military though; it arose in all aspects of life, e.g. public health, economics, politics, architecture, etc. This concept began, as Foucault puts it, a ‘political anatomy’. It was “how one may have a hold over others’ bodies, not only so that they may do

⁴ Foucault, Michel *Discipline and Punish*. Pg. 136

what one wishes, but so that they may operate *as* one wishes, with the techniques, the speed and efficiency that one determines.”⁵ This concept of discipline is not a sovereign setting down a command that one must do this specific action at this specific time, but rather that one learns how to do this action quickly and effectively so that they may *discipline* or *regulate* themselves in such a manner that does not need “constant” supervision.

“[Discipline] dissociates power from the body; on the one hand, it turns it into an ‘aptitude’, a ‘capacity’, which it seeks to increase; on the other hand, it reverses the course of the energy, the power that might result from it, and turns it into a relation of strict subjugation.”⁶

This is Foucault’s idea of why the docile bodies are created and, in this new economy of power, necessary. Without these our modern society could not function.

Foucault clarifies this last point in his discussion of the function of discipline by using space as a key player in this technique. For example, taking an exam in any situation whether it is school or medical. The exam is set up as a device to individualize people in a group so that they can be evaluated separately. Let us use the school exam example first. When a student takes an exam and does poorly, they are moved into a group that failed. From that individualization the student is examined further by use of other exams to see if they comprehend the material. This comparison is the constant surveillance and evaluation that is crucial in creating docile bodies. These mechanisms create a sense of wanting to better oneself due to the expectation of the teacher upon the student. The same idea is visible in medical facilities. In the medical facilities, the patients are under the surveillance of a doctor and a team of nurses to examine the patients’ health and conditions constantly. Is the patient is not healthy enough to pass/exceed the doctor’s standards than the patient is treated accordingly so they will be later. This is discipline’s aim; “to derive the maximum advantages and to neutralize the inconveniences, as the forces

⁵ Foucault, Michel *Discipline and Punish*. Pg. 138

⁶ Foucault, Michel *Discipline and Punish*. Pg. 138

of production become more concentrated; to protect materials and tools and to master the labor force.”⁷

Foucault brings another mechanism of discipline to light, partitioning. This is the concept that “each individual has his own place; and each place its individual”⁸ This is most easily illustrated via a job function in a workplace. Let us say that you are the manager of a small group of individuals that constitute a pit crew for a racecar (a pit crew for those of you unfamiliar with the reference is a group of people that perform various jobs on a racecar when it stops to re-fuel, change tires, basically mild actions to keep the car going throughout the entire race). You hire a person to re-fuel the car, a person to change the tires, etc. In the confines of this example, if there is no spot to put a person or a job available, then there obviously is no person for that space. But if there was a job available, or a person who is hired, then this space has its individual, and the individual has its space. This mechanism of partitioning is aimed at “knowing, mastering, and using.”⁹ The management must know what spaces are open or filled, they must find someone who is qualified to fill a space if there is one, and they need to know how to use the people available to complete a job quickly and effectively. But it is not just about managing space, it is also about managing time. The docile bodies are created to make tasks use time more efficiently by reducing distractions.

“The Chief function of the disciplinary power is to ‘train’...Instead of bending all its subjects into a single uniform mass, it separates, analyses, differentiates, carries its procedures of decomposition to the point of necessary and sufficient single units...Discipline ‘makes’ individuals; it is the specific technique of a power that regards individuals both as objects and as instruments of its exercise. It is not a triumphant power, which because of its own excess can pride itself on its omnipotence; it is a modest, suspicious power, which functions as a calculated, but permanent economy....We must cease once and for all to describe the effects of power in negative terms: it ‘excludes’, it ‘represses’, it ‘censors’, it ‘abstracts’, it ‘masks’, it ‘conceals’. In

⁷ Foucault, Michel *Discipline and Punish*. Pg. 142

⁸ Foucault, Michel *Discipline and Punish*. Pg. 143

⁹ Foucault, Michel *Discipline and Punish*. Pg. 143

fact, power produces; it produces reality; it produces domains of objects and rituals of truth. The individual and the knowledge that may be gained of him belong to this production.”¹⁰

It is precisely this discipline that creates these useful, docile bodies from non-useful ones. This technique of imposing rules, guidelines, and such to make a person more effective in their respective job is the essential portion of what it means to act as agent in this system of power. We are groomed as a child to act a certain way in accordance to our parents’, teachers’ and societies’ preferences. From our parents we were disciplined to bathe and groom ourselves. From our teachers we were disciplined to not be late. From society we were disciplined to respect our elders. In this way, it may seem as if we never got a chance to act independently from outside any social context. As Taylor suggests “We have already become something.”¹¹ Taylor sides with Foucault for the most part, but goes deeper into the idea of freedom in this new economy of power that we participate in. He claims that we have domination over nature in the sense that we objectify it according to us.

“The objectifying and domination of inner nature comes about through training in an interiorization of certain disciplines. These disciplines of organized bodily movement, of the employment, of ordered dispositions of living/working space.”¹²

This relationship we have with our inner nature is paralleled in Foucault in the discussion of docile bodies, e.g. Panopticon. We have to dominate those inner disciplines in order for discipline itself to take hold and transform the person into a docile body.

Mark Bevir looks at this distinction made by Foucault regarding autonomy and agency more closely. He describes autonomy as:

“[Autonomous subjects] would be able, at least in principle, to have experiences, to reason, to adopt beliefs, and to act, outside all social contexts. They could avoid the influence of any norms and techniques prescribed by a regime of power/knowledge.”¹³

¹⁰ Foucault, Michel *Discipline and Punish*. Pg. 170 and 194

¹¹ Taylor, Charles *Foucault on Freedom and Truth*. Pg. 180

¹² Taylor, Charles *Foucault on Freedom and Truth*. Pg. 159

¹³ *Foucault and Critique*, p. 67, Bevir, Mark

As you can notice of the start is that Foucault identifies autonomy to be one where it is not a sense of a universal, i.e Kant, but rather an individualistic view of avoiding outside influences. The third, agency, is described as

“[Agents] exist only in specific social contexts, but these contexts never determine how they try to construct themselves. Although agents necessarily exist within regimes of power/knowledge, these regimes do not determine the experiences they can have, the ways they can exercise their reason, the beliefs they can adopt, or the actions they can attempt to perform.”¹⁴

In this distinction, it suggests that this type of discipline that creates docile bodies negates the possibilities for an autonomous rational being. Being able to act outside all social constructs seems virtually, if not entirely, impossible in our notion of discipline explained by Foucault.

So what is the difference? In autonomy there are no outside social context influencing your reason to act, while in agency there is. Is it possible for there to be a docile body that still acts outside the social construct? Is there a way for a docile body to comprehend what is happening to them, yet still act independently of those influences? With the definitions given, I do not believe that there is a possible world in which a docile body could act autonomously, that is independently of all social contexts. Due to the fact that the very essence what it means to become a docile body is to be shaped, molded, transformed into something that you were not previously. More specifically you, as a docile body, were transformed by a social context for a specific reason, whether it is for a job or not; you became something you were not previously due to an outside influence. How much room for free will, under the new form of disciplinary power, do we possess?

The old power “depended on the idea of public space and of a public authority that essentially manifested itself in this space, which overawed us with its majesty and relegated the subjects to a less visible status.”¹⁵ It was a relationship between the sovereign, who was easily identifiable as a king or

¹⁴ Foucault and Critique, p. 67, Bevir, Mark

¹⁵ Taylor, Charles *Foucault on Freedom and Truth*. Pg. 157

such, and the obedience of their subjects. But the switch occurred, gradually, in that we now operate in a new system of power that “operates by universal surveillance. It does away with the notion of public space: Power no longer appears, it is hidden, but the lives of all the subjects are now under scrutiny”¹⁶, e.g. Panopticon¹⁷. It has transformed from the earlier sovereign-obedience relationship to a new domination-subjugation one. There is no identifiable sovereign in this new economy of power, a relationship of power that can and allows reversals in power. This new power is “productive. It brings about a new kind of subject and new kinds of desire and behavior that belong to him. It is concerned to form us as modern individuals.”¹⁸

But how did this change come about? Taylor claims it was humanitarianism, a new sense of what the “good” is. Humanitarianism promotes the fulfilling of a person’s needs; it now is subject to ordinary, daily life. As a person, we decide what we need to fulfill ourselves; so we go and try to obtain whatever that may be. Whether it is food, education, money, etc. we go and participate in this new system almost with a theoretical blindfold over our eyes. When we go to school, we immediately submit ourselves to a power, not a single sovereign, but a collection of people that we willingly put ourselves with. We understand that we are seeking knowledge, so in turn we must admit someone, e.g. a professor, has more knowledge than us. “Power and knowledge directly imply one another; that there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time power relations.”¹⁹ To Foucault, this knowledge-power relationship is vital for how this new economy of power works. In order for there to be a power that is imposed onto us, there must be someone that has knowledge over us. For this to happen there must be a mechanism(s) for some to have power over others. These mechanisms are, as he describes

¹⁶ Taylor, Charles *Foucault on Freedom and Truth*. Pg. 157

¹⁷ J. Bentham *the Works of Jeremy Bentham*. Pg. 201

¹⁸ Taylor, Charles *Foucault on Freedom and Truth*. Pg. 158

¹⁹ Foucault, Michel *Discipline and Punish*. Pg. 27

them as: surveillance, examination, and observation. These three mechanisms all intertwine, as in you cannot have one in effect without the others. Let us take a hospital, more specifically the emergency room (ER) as an example. In a hospital, your initial visit requires something to be wrong with you physically or psychologically, or else you would not be there. When you first enter the ER, you are taken immediately to get observed. If they (the doctors and/or nurses) observe you to be bleeding, then they will take you to a specific room to try to stop the bleeding; if they observe you to have a broken bone, then they will take you to the X-ray machine, etc. This is an immediate form of knowledge producing power, if they did not have the knowledge to know what was wrong with you then they could not dictate what room to put you in for your specific needs. After this comes the examination. They examine what is the cause of the bleeding, or they examine your X-ray results to see what is broken, so on and so forth. This gives them specific knowledge about your specific case, thus giving them dominance. Finally, at least in this example, they keep you under 'constant' surveillance by keeping you in the hospital to treat your injury. This gives them dominance over you in that you are subject to the treatments they provide for your specific case. This whole relationship between power and knowledge is vital for this new system of power. It gives power to whoever we 'allow' it. If we broke an arm, we would not go to a dentist to have them fix it; we would concede ourselves to the care of a doctor. Therefore, giving the doctor power over us, we are creating an economy of power that is never concrete in that we are always subject to the power of the doctor and him to us. We just allow, for a short period of time, them to govern us. "The being who thus is examined, measured, categorized, and made the target of politics of normalization is one whom we have come to define as the modern individual."²⁰ We are there, so we choose to cooperate in the medical exams and if need be the participation of possible therapy.

Is this how we should look at our lives now, looking at the world through a lens that does not allow for the conditions for the possibility to exercise free will apart from social constructs? Are we just

²⁰ Foucault, Michel *Power/Knowledge*. Pg. 98

operating on the grounds of determinate physical processes that we have no control over? Or are we operating under deterministic world that allows for a small, but constrained free will? This is where the heart of the discussion lies. Which is more plausible: a strict determinism, physical processes, or a constrained free will? First off, what is the difference between a strict deterministic outlook as opposed to a physical processes one? If we break this down into the very essence of what these two ideas try to encompass then we might find some very distinct and decisive features that differentiate the two.

When we look at strict determinism we can see one thing from the get-go: no free will. This mode of operation does not allow for even the slightest existence of free will within its confines. Every action, every decision, everything in general is already decided for us. It is comparable to a movie, where we are an actor that participates in it. The movie has a set script, a set budget, a set cast and there is no deviating from these concrete facts. Sure, you could fire someone from the movie, but you replace them to ultimately fill the cast. When we are acting in this movie, no matter what we do, the movie will proceed independently of our actions. We can call "cut", get sick so we cannot act for a couple days, or take a break; the movie will still follow the script. It will begin and end regardless of our attempts to change it. This active actor in the movie is subject to a very linear flow of events. This event will lead to this one, and so on and so forth. The actor has no control over where the next action will take them, it is already decided beforehand.

Now when comparing this to a physical process that determines our actions are much different. There is room for deviation from the original plan. For example, let us take something we all would be familiar with, like an addiction. We all know someone with some kind of addiction whether it is a caffeine, nicotine, alcohol, etc. we all have had personal experience with this or have been around it. In this type of scenario, the person creates a physiological dependence on this drug in order to function. They learn to do everything while on this drug, e.g. eat. But there is always the possibility for them to

get off of this drug. While operating under these specifications there are no set rules or ending, the person has the ability to rehabilitate themselves off of the drug, therefore changing a possible ending, where in determinism you cannot change the ending. How about another example to help make the distinction clearer, e.g. choosing between coffee and tea. Imagine you are in a coffee shop and you look at the menu. On the menu there are only theoretically two choices: coffee or tea. Now, which one do you choose? Undoubtedly there will be a number of people who will choose one over the other on sheer taste preference. Now why is this? It is because the genetic makeups of our sensory neurons are aligned differently on our tongue, i.e. taste buds. Now I'm not a doctor, nor well educated in the field of the human makeup, but I know enough that to accurately say that we all think different food taste better compared to others. For me, I like the taste of tea compared to coffee. This is a decision based solely on the makeup of our anatomy, e.g. taste buds.

When it comes to a constrained free will, the first question that arises is "what is the difference between that and determinism?" For starters the main difference is constrained free will allows for the possibility for free will to occur, unlike determinism. With that being said, a world that would only allow for constrained free will would not be too difficult to imagine. Let us say in a general sense that there was a world that was composed of roads that only ended at a 'T' and one only had the options to go either right or left. There is no road signs telling you which way to go, you have the freedom to choose, even though either way will take you to the same spot. In a general sense, that is constrained free will. The road is created physically, but it is socially constructed.

So where does this leave us? I have laid out an early modern view and then a contemporary view of the will in society. In my own opinion, we have a constrained free will, which might oppose your, the reader's, view. In my view, we are already laid out with things that will constrain us in our decisions when we are children. Growing up we venture out to explore and try new things in the early years of our

lifelong journey. We figure out the things we dislike, for most as children it was probably broccoli, and we found out what we liked. These decisions were not deterministic in the example of broccoli, but rather very much in scope of constrained free will. Where are not pre-destined to dislike broccoli, because that in itself seems to try to defeat the purpose of living. If we were pre-destined to dislike food, I have my reservations on how long that person would survive.

Even though that example is but a very small deal when compared to other aspects of life, but the same can be said about our intrapersonal relationships with people. We are not pre-destined to dislike certain people from the start. I just do not see someone across the street and decide that I do not dislike them due to an innate notion. In order to make a decision on how I feel about them, I must first take into account the person as an entirety and then I can make the decision. Some would argue this as completely free will, the ability to judge the feelings of a person independently of outside influences, but I argue it's not. We, as children, explore the types of people we find pleasant to be around, and conversely we find those we do not. It is these traits in others that we try to find and associate with. So how does this become constrained rather than complete? It does so by the activities we do. We decide the activities that we enjoy from those available to us, high school. In high school we all the option of joining various clubs and/or sports. In joining those sports, we associate with other people who share that common interest and it is there where you are only exposed to a certain sect of people rather than everyone. It is in these groups where you find out what the kinds of people are that share this same interest and you associate those traits with the shared interest.

Where does one draw the line between physical processes and constrained free will? Think back to the aforementioned coffee-tea dilemma. In physical processes, you have a personal preference to one over the other. In this example I personally prefer tea to coffee, but I also have the ability to choose

coffee. There is nothing stopping me from choosing one instead of the other. I can choose to drink coffee that particular time, even though I am usually inclined to choose tea.

Is this idea of a constrained free will a good thing? In my opinion it is. It gets rid of the possibilities of the extremes that seem superfluous in most scenarios. With the idea of a "T" in the road, constrained free will gets rid of the possibilities of going straight. It's either left or right. In this constrained free will lens we are able to exercise to an extent our own free will in a situation, while still being restricted to the few possible choices.

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